

Summary

By-laws of cooperative

The aim of the thesis is to deal with legal regulation of by-laws of a cooperative in the Czech Republic according to current legislation, after so-called recodification of civil law and to compare with foreign legal regulation.

The thesis is composed of five chapters. Chapter one is introductory and defines basic issues of by-laws according to contemporary statutory regulation. It describes such as a characteristics of by-law, its legal nature, methods of adoption and processing of changes, assumption of its becoming in force.

The second part is dedicated to obligatory requirements of by-laws given by current legislation. The chapter deals with requirements which necessary have to be incorporated in the by-law such as provided possibility of its modification. It concerned especially with bodies of cooperative, rights and duties of its members, formation of membership and other requirements.

Third chapter deals with facultative requirements of by-laws, which mean the requirements cooperative is able to choose if they should be a part of by-laws. Facultative requirements can be realized by undertaking of provision of the Commercial Code, by its extension or by its own regulation within the statutory authority.

Chapter four describes a specific kind of cooperative and its by-laws, it means the by-laws of housing cooperative. Specificity is given by big range and diversity of legislation. This part is dealing especially with the concept of housing cooperative, cooperative apartment, by-laws of housing cooperative, its membership and requirement of lease.

Throughout my thesis I deal with future legislation and its changes after recodification of civil law, coming in force in 1st January 2012.

The final part is dedicated to compare of present legislation to German law of by-laws of cooperative.